IN THE CLAIMS

Please amend claims 30-35 as follows:

1.(Previously Amended) A method for determining data validity during data recovery operations, comprising the operations of:

defining a wait time, the wait time being a period of time that ensures that a block of data written to a write cache of a disk has been written to the disk;

writing a block of data to the disk using the write cache, the block of data including a first marker related to a time;

reading the block of data from the disk during a data recover operation;

examining the first marker of the block of data; and

validating the block of data if a second marker exist on the disk that was written a particular period of time after the first marker was written, the particular period of time being not less than wait time.

2-21 (Previously Cancelled)

22. (Previously Added) A method as recited in claim 1, further comprising the operation of invalidating the data if no other marker exist on the disk that was written the particular period of time after the first marker was written.

23. (Previously Added) A method as recited in claim 1, wherein the marker is a time marker indicating that a period of time equal to wait time has passed since a preceding marker was written.

24. (Previously Added) A method as recited in claim 1, wherein the marker is a time stamp indicting the time the block of data was sent to the disk.

25. (Previously Added) A method as recited in claim 24, wherein the marker is compared to a second time stamp to determine whether the marker was written a period of time not less than wait time prior to the other time stamp.

26. (Previously Added) A method as recited in claim 1, wherein a valid block of data can be used in data recovery, and wherein an invalid block of data is not used in data recovery.

27. (Previously Added) A method for determining data validity during data recovery operations, comprising the operations of:

defining a wait time, the wait time being a period of time that ensures that a block of data written to a write cache of a disk has been written to the disk;

determining a transfer rate of a disk controller coupled to the disk;

calculating a data valid number, the data valid number being the product of the transfer rate of the disk controller and the wait time; and

validating a block of data written to the disk after an amount of data not less than the data valid number has been written to the disk.

28. (Previously Added) A method as recited in claim 27, wherein a block of data is only used during a recovery operation if the block of data has been validated.

29. (Previously Added) A method as recited in claim 28, wherein a block of data is also validated if a period of time not less than wait time has passed since the block of data was sent to the disk.

30. (Currently Amended) A computer readable medium containing a computer program product for determining data validity during data recovery operations, the computer program product comprising:

program code for defining ~~a code segment that defines~~ a wait time, the wait time being a period of time that ensures that a block of data written to a write cache of a disk has been written to the disk;

program code for writing ~~a code segment that writes~~ a block of data to the disk using the write cache, the block of data including a first marker related to a time;

program code for reading a code segment that reads the block of data from the disk during a data recovery operation;

program code for examining ~~a code segment that examines~~ the first marker of the block of data; and

program code for validating ~~a code segment that validates~~ the block of data if a second marker exist on the disk that was written a particular period of time after the first marker was written, the particular period of time being not less that wait time.

31. (Currently Amended) The computer program product of claim 30 further comprising: ~~A computer program as recited in claim 30, further comprising~~ program code for invalidating ~~a code segment that~~ invalidates the data if no other marker exist on the disk that was written the particular period of time after the first marker was written.

32. (Currently Amended) The computer program product of claim 30 ~~A computer program as recited in claim 30,~~ wherein the marker is a time marker indicating that a period of time equal to wait time has passed since a preceding marker was written.

33. (Currently Amended) The computer program product of claim 30 ~~A computer program as recited in claim 30,~~ wherein the marker is a time stamp indicating the time block of data was sent to the disk.

34. (Currently Amended) The computer program product of claim 33 ~~A computer program as recited in claim 30,~~ wherein the marker is compared to a second time stamp to determine whether the marker was written a period of time not less than wait time prior to the other time stamp.

35. (Currently Amended) The computer program product of claim 30 ~~A computer program as recited in claim 30,~~ wherein a valid block of data can be used in data recovery, and wherein an invalid block of data is not used
in data recovery.